

## **DISCLAIMER**

### **(NEPA RESOLUTION)**

The Local Public Agency (LPA) is responsible for the language in the resolution. The following is offered ONLY as an example resolution that could be used by the LPA with appropriate modifications, for participation in the LPA Federal-Aid program, and is subject to change. The user of this document must ensure that the document as drafted is accurate, complete and meets all requirements of state and federal laws and LPA Guidelines Manual.

#### **NOTE – Before you fill out the Resolution:**

If the LPA puts name(s) of personnel in the resolution, they will have to re-do and resubmit the resolution when the named person(s) are no longer with the LPA. That is why the example recommends to Insert the position or positions within the LPA's organization responsible for managing the NEPA process.

**RESOLUTION  
NEPA**

[Insert name of Local Public Agency (LPA)] \_\_\_\_\_

Resolution No. \_\_\_\_\_

**Whereas:** Certain transportation facilities (roads, streets, trails, and others) in [Insert name of LPA] have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

**Whereas:** [Insert name of LPA] desires to continue to participate in Federal-Aid transportation construction programs;

**Whereas:** The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds;

**Whereas:** [Insert name of LPA] as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads and the National Environmental Policy Act (NEPA); and

**Whereas:** [Insert name of LPA] understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in [Insert name of LPA] being required to repay some or all of the federal funds expended for a project(s).

**Be It Resolved:** The [Insert name of LPA] [City Council, Board of Commissioners or Supervisors, etc. as appropriate] does hereby adopt and bind itself to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads and the National Environmental Policy Act (NEPA).

**Be It Further Resolved:** The [Insert name of LPA] [City Council, Board of Commissioners or Supervisors, etc. as appropriate] does hereby designate the following as responsible for the management of the NEPA process: [Insert the position or positions within the LPA's organization responsible for managing the NEPA process]

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2009 at \_\_\_\_\_ Nebraska.  
(Month) (Year)

The [Insert City Council, Board of Commissioners or Supervisors, etc. as appropriate] of [Insert name of LPA]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board/Council Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the motion  
Roll Call: \_\_\_Yes \_\_\_No \_\_\_Abstained \_\_\_Absent  
Resolution adopted, signed and billed as adopted

Attest:

\_\_\_\_\_  
[Signature of City or County Clerk or Notary Public]